

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

Sarah Archbold et al.,

Plaintiffs

v.

Landry's Gaming, Inc.,

Defendants

Case No.: 2:13-cv-00714-JAD-CWH

**Order regarding Status Report  
[Doc. 14] and Ordering Defendants to  
Refile Motion to Dismiss**

This transferred action arises out of claims brought pursuant to the Electronic Funds Transfer Act and based on automated teller transactions in Las Vegas, Nevada during three months in 2011.<sup>1</sup> The case was filed in the Court of Common Pleas of Monroe County, Pennsylvania, on November 6, 2012; removed to the United States District Court for the Middle District of Pennsylvania on December 27, 2012, where it was fully briefed; and transferred to Judge Robert C. Jones in the United States District Court for the District of Nevada on April 24, 2013.<sup>2</sup> The case was subsequently reassigned to Judge Jennifer A. Dorsey on August 28, 2013.<sup>3</sup>

Pursuant to Judge Jones's order, Defendants filed a status report on May 24, 2013, asking this Court to rule on a Motion to Dismiss or Transfer that was originally filed in the Middle District

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<sup>1</sup> Doc. 1 at 2 (citing 15 U.S.C. § 1693 et seq.).

<sup>2</sup> Doc. 14 at 1–2; Doc. 12.


<sup>3</sup> Doc. 15.

1 of Pennsylvania—or, in the alternative, to advise if the Court requires it to be refiled.<sup>4</sup> The motion is  
2 already docketed in this Court, with Plaintiff Sarah Archbold’s opposition, Pennsylvania District  
3 Judge James M. Munley’s order granting the motion to the extent that the case was transferred to the  
4 District of Nevada, and related filings.<sup>5</sup> It is not clear to the Court whether any issue raised in that  
5 briefing has been mooted or now requires supplementation due to the transfer of this case to the  
6 District of Nevada.

7 Good cause appearing, it is hereby ORDERED that Defendants shall **refile** their motion in  
8 the District of Nevada by **March 26, 2014**. If any issue has been resolved or mooted since its  
9 original filing, or new or supplemental information or authority is required, the document should be  
10 redrafted to address only still-relevant and newly-relevant issues.

11 DATED March 5, 2014.

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Jennifer A. Dorsey  
United States District Judge

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<sup>4</sup> Doc. 12; Doc. 14.

<sup>5</sup> Docs. 5–10.